

CHAPTER 90. ANNUAL REPORTS

FRANCHISES

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90.01. Reports Required. Any person exercising any public franchise in the city shall file annually, on the first Monday of February, with the city clerk a sworn statement setting forth in detail for the preceding calendar year the then actual cost of the plant or business operated by such party, the actual incumbrance, debts, and obligations thereon, if any, the amount of stock issued, and to whom, the gross earnings, the expense and net income, and the amount of stock of any such corporation. The statement shall be open to public inspection.

90.02. Cancellation of Franchise. The council may by ordinance cancel or revoke the franchise of any franchisee violating this chapter.

90.03. Revocation or Suspension of License or Franchise. Subdivision 1. Whenever it appears to the Common Council that adequate grounds may exist for the suspension of, revocation of, or imposition of probation upon any franchise issued pursuant to chapter 92A, 93, 93A, 94, 95 or 96, the Council must adopt a resolution indicating the nature of the allegations made against the franchisee and scheduling a public hearing to consider the matter. No suspension, revocation, or probation will be effective until the franchisee has been afforded an opportunity to be heard at a public hearing.

Subd. 2. The Council may suspend, revoke, or impose probation upon any franchise issued pursuant to chapters 92A, 93, 93A, 94, 95 or 96 if the Council finds any of the following facts to exist:

- A. The franchisee has violated any federal or state law, or city ordinance in conducting its business.
- B. The franchisee has violated any provision of chapters 92A, 93, 93A, 94, 95 or 96, as they may be applicable to the franchisee.
- C. The franchisee has submitted false information during the franchise application process.
- D. The franchisee has failed to comply with its approved routes and schedules, or fixed routes as indicated by the City Clerk's records.

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- E. The franchisee has been convicted of any federal or state law, or city ordinance, that would adversely impact the applicant's ability to provide the contemplated business.
- F. The franchisee employed a pedicab operator or a taxicab operator who did not comply with any applicable statute or ordinance relating to the operation of the pedicab or taxicab.
- G. The franchisee allowed the business to be operated or maintained in a way that constitutes a breach of the peace, a menace to the public's health, safety or welfare, or an unreasonable disturbance to the peace and comfort of the City's residents as it relates to the property.

Subd. 3. Any person who uses public rights-of-way in the operation of its business without possessing a valid franchise issued pursuant to the City's charter or ordinances may have its right to seek a franchise suspended. No suspension under this subdivision will be effective until the person has been afforded an opportunity to be heard at a public hearing.

(320, 9/27/22; 4074, 7/18/12)